

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DEREK LEAKE-BEY,

Civil No. 06-3749 (JNE/JSM)

Petitioner,

v.

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

LYNN DINGLE, Warden,

Respondent.

Derek Leak-Bey, *Pro Se*.

Thomas R. Ragatz, Esq., Minnesota Attorney General, Suite 1800, 445
Minnesota Street, St. Paul, Minnesota 55101.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 19, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Petitioner's application for a writ of habeas corpus, (Docket No. 1), is summarily DENIED; and

2. This action is DISMISSED with prejudice.

Dated: November 21, 2006

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge